

Hon. Ricardo S. Martinez

UNITED STATES DISTRICT COURT
WESTERN DISTRICT OF WASHINGTON

UNITED STATES OF AMERICA,

Plaintiff,

v.

RORY J. O'FLAHERTY,

Defendants.

No. CR 07-0175 RSM

ORDER GRANTING DEFENDANT'S
MOTION TO COMPEL COMPLIANCE
WITH HIS SECOND RULE 17(c)
SUBPOENA *DUCES TECUM*

Upon consideration of defendant Rory J. O'Flaherty's Motion to Compel ("Motion") compliance with a subpoena *duces tecum* under Federal Rule of Criminal Procedure 17(c) ("Subpoena," which was attached as Exhibit A to the Motion), and any response thereto, it is hereby ORDERED:

1. that Banner Bank shall fully comply with the Federal Rule of Criminal Procedure 17(c) by producing all documents requested in the Subpoena;
2. that the date for the return of the documents the Subpoena is designate as August 10, 2007;
3. that the documents be delivered to the offices of Yarmuth Wilsdon Calfo PLLC, Fourth & Madison, 925 Fourth Avenue, Suite 2500, Seattle, WA 98104, attention: Angelo J. Calfo and J. Michael Diaz, counsel for Mr. O'Flaherty; and

1 4. that all documents produced in response to the Subpoena shall be made available
2 only to the prosecution and defense counsel for use only at Mr. O'Flaherty's
3 sentencing and shall be destroyed or returned to Banner Bank at the conclusion of
4 his sentencing.

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6 DATED this _31_ day of _July_, 2007.

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10 RICARDO S. MARTINEZ
11 UNITED STATES DISTRICT JUDGE
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13 Presented by:

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15 _____
16 Angelo J. Calfo
17 J. Michael Diaz
18 Yarmuth Wilsdon Calfo PLLC
19 Attorneys for Rory O'Flaherty
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